

EXHIBIT B

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

GARFIELD COUNTY, UTAH, a Utah political subdivision; KANE COUNTY, UTAH, a Utah political subdivision; and THE STATE OF UTAH, by and through its Governor, SPENCER J. COX, and its Attorney General, SEAN D. REYES,
Plaintiffs,

ZEBEDIAH GEORGE DALTON; BLUERIBBON COALITION; KYLE KIMMERLE; and SUZETTE RANEA MORRIS,
Consolidated Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official capacity as President of the United States; DEBRA A. HAALAND, in her official capacity as Secretary of Interior; DEPARTMENT OF THE INTERIOR; TRACY STONE-MANNING, in her official capacity as Director of the Bureau of Land Management; BUREAU OF LAND MANAGEMENT; THOMAS J. VILSACK, in his official capacity as Secretary of Agriculture; DEPARTMENT OF AGRICULTURE; RANDY MOORE, in his official capacity as Chief of the United States Forest Service; and UNITED STATES FOREST SERVICE,
Defendants,

HOPI TRIBE; NAVAJO NATION; PUEBLO OF ZUNI; and UTE MOUNTAIN UTE TRIBE,
Intervenor Defendants.

**SUPPLEMENTAL DECLARATION
OF SIMONE GRIFFIN IN
SUPPORT OF PLAINTIFFS'
AMENDED COMPLAINT**

Lead Case No. 4:22cv00059 DN-PK
Member Case No. 4:22cv00060 DN

District Judge David Nuffer
Magistrate Judge Paul Kohler

I, Simone Griffin, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this declaration. This declaration is based on my personal knowledge.

2. I declare under penalty of perjury under the laws of the United States that the information in both this declaration and my prior declaration (attached hereto) is true and correct.

3. The injuries described in my prior declaration have continued to endure, and will only compound so long as President Biden's monument designations are allowed to stand.

4. Among those injuries, my family and I have refrained from off-roading and riding motorized vehicles in the open areas inside the Little Desert OHV Area. This is so because the BLM—an agency that the BlueRibbon Coalition must engage with regularly, and the agency that regulates and supervises virtually all activities on monument lands—has asked us to do so (see the below photo). And that is so too because we have feared that riding over the Little Desert OHV Area—and, in turn, riding over the Grand Staircase-Escalante's landscape, as well as a number of other "objects" identified in President Biden's Proclamation—will incur legal liability under the Proclamation and its related laws and regulations. *See, e.g.*, 18 U.S.C. § 1866(b) (providing that anyone who "injures" or "destroys" part of a "monument" may face 90 days imprisonment, a fine, or both); 86 Fed. Reg. 57335, 57346 (Oct. 8, 2021) (Biden Proclamation: "Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof."). Indeed, BLM has specifically asked us to stay off existing routes within the area because doing so risks harming the

“resources” protected by the monument designation, including “native vegetation” and other features of both the landscape as well as its constitutive areas, ecosystems, habitats, and the like.¹



(Pictured: Sign within the Little Desert OHV Area.)

5. These limitations did not exist before President Biden’s Proclamation. And we would return to using the Little Desert OHV Area’s open areas if those limitations were removed.

6. Since filing my original declaration, we have started to endure another hard economic winter as a result of the Monument. And our grocery store still has to deal with the surrounding economic hardships. At times—because my husband and I refuse to lay off workers in the slow months—we have too much staff for too little demand. At others, we find ourselves

¹ BLM, *Little Desert Off-Highway Vehicle (OHV) Open Area*, <https://www.blm.gov/utah-paria-river-do/public-room/data/little-desert-highway-vehicle-ohv-open-area> (last visited Jan. 24, 2023).

struggling to keep the doors open—unable to find added help when a portion of our staff is out sick or otherwise unable to work. And these difficulties mirror those of our community. We feel we are watching Escalante slip away. Our town is losing the ability to sustain itself because of President Biden’s Proclamation.

Dated: Jan. 13, 2023

Simone Griffin

Simone Griffin

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RANDY MOORE, in his official capacity as Chief of
the United States Forest Service; and UNITED
STATES FOREST SERVICE,

Defendants.

Civil Action No. 4:22-cv-00060-DN

**DECLARATION OF SIMONE
GRIFFIN**

I, Simone Griffin, declare as follows:

1. My name is Simone Griffin. I am the Policy Director for the BlueRibbon Coalition (“BlueRibbon”). This declaration is based on my personal knowledge. I am over 18 years old.

2. I was born and raised in Blanding, Utah. I now live in Escalante, Utah, with my husband and two kids. My husband was born and raised here, and his family was part of the first settlers of Escalante. The Grand Staircase-Escalante Monument is right outside of my front door.

3. The Grand Staircase-Escalante Monument has gutted our community. Before President Clinton established the Monument, Escalante had a stable, year-round economy made up of logging, drilling, and mining, as well as ranching and farming. But the regulations and restrictions that came with the Monument have steadily destroyed that economy. Local businesses have had to close left and right, often with devastating consequences. For instance, when just one local saw mill closed, we lost 50 good-paying jobs. Most work is now seasonal, drawing residents who are single, have no families, and stay only for the warmer months. And because of this new part-time economy, a large share of local businesses have to close for six or seven months per year.

4. The Monument has, in turn, fundamentally changed our town’s identity. The town used to be filled with families with homesteading traditions, such as ranching and farming. We used to have a number of local businesses that supported these kinds of livelihoods. And living off the land was part of our culture. We have since been forced into a tourism industry because we no longer have real access to our surrounding lands. We are essentially a tourist town, filled with nomads—people who are here only seasonally. The influx of part-time residents has also made it difficult to buy a home or pay rent. In short, because of the Monument, the number of families who remain in Escalante has plummeted, witling our community. As just one example,

in 1996, when the Monument was created, the graduating class at our local high school had 36 kids. By 2018, when I was working as a math teacher, the graduating class was down to 8.

5. Our family has suffered these changes directly. My dad has been a cattle rancher my entire life in San Juan County. A large part of my childhood was helping him herd cattle, brand cows, and take care of newborn calves in the winter. My husband also grew up with these same traditions in Escalante. Unfortunately, because of the Monument, my husband no longer is involved in ranching, and my kids do not get to grow up with these traditions in their hometown.

6. My family has also borne the economic costs of the Grand Staircase-Escalante Monument. My husband and I run our local grocery store, located on the corner of Center and Main Street. His family opened the store fifty years ago, and it has stayed in the family ever since. We typically have 2-3 full time employees, with around 5 part time employees in summer months.



The above photo shows our grocery store with my mother-in-law and father-in-law in the front. They are the current owners. My husband and I run it, and will take the store over shortly.

7. Escalante's Monument-induced seasonal economy has made it difficult to keep our grocery store operating year-round, jeopardizing our livelihoods as well as our ability to keep this family business running. As explained, winter months are very slow because of Escalante's new tourism economy. Those months are a struggle because not only do our revenues fall a significant amount, but it is also near impossible for us to find enough help to keep the store going. We are often so thin-staffed that, at times, we need to close shop entirely in the middle of the day whenever someone needs to attend to a family event, funeral, or some other pressing matter. When closing isn't an option, our family needs to make serious sacrifices just to keep the store functioning. For instance, in 2018, I needed to be back at the store three days after giving birth to my first child because we could not find enough help for when the freight truck came in with our inventory.

8. Summer months are hard too. It is not unheard of to find our entire family (kids and all) at the store during the summer months stocking shelves, running the registers, and working 80 hour weeks to keep up with the influx of tourists. My husband and I are also committed to providing year-round jobs for our employees—unlike most businesses in town who are forced either close seasonally or reduce staff during the off season. As a result, in the winter, we will often have more employees than we need because we have promised them year round employment.

9. As with many other families, the Monument has also harmed my husband's. For generations, they have been involved in ranching. Before the Monument, my husband's family owned a cattle allotment in the Kaiparowits Plateau—a beautiful but rugged terrain. The cattle they ran was the main source of income for my husband's grandpa and his two brothers since 1969.

10. In 1996, however, the allotment fell within the new Monument's borders. And with that designation came impossible to follow regulations. The Bureau of Land Management lowered their "Animal Unit Months," which scaled back how many head of cattle they could have (and as

a result, how much money they could make from the allotment). The Bureau also issued a number of other regulations that forced them to move their cattle within an impractically short period of time. Given the short timeframe, the difficulty of moving cattle in this rugged terrain, and the steep fines that would have followed if they did not move their cattle in time, they were forced to shoot many of the cattle instead. And after years of struggling under these burdens, my husband's family had to just sell their allotment. Since 2010 the allotment has gone through three different owners. What was once a lucrative business is now one that is almost impossible to operate at all.

11. My husband's family's experience in Kaiparowits reflects what many families have endured as a result of the Monument. Even though the Monument says that it will protect "valid existing rights," the Monument made ranching on our allotment impossible. BLM regulations cut the number of cattle we could keep, and *other* BLM regulations forced our family to kill some of the cattle we were allowed to keep so as to avoid crippling fines. As my husband's family spent more and more money navigating these new rules—almost bankrupting my husband's two brothers—they eventually were forced to sell the allotment, and walk away from the \$50,000 investment they had made in the land. And the fact that the allotment has cycled through owners since shows a key point: These regulations are designed to target and gradually eradicate ranching.

12. President Trump's decision to reduce the size of the Grand Staircase-Escalante Monument gave our community some much-needed relief. Not only did we feel heard as locals and stewards of the land, but we also were excited about the prospect of exploring areas that had once been available to us but were arbitrarily restricted due to the Monument. For example, our family started planning family reunions on former Monument lands—something we could not do before because of group-size restrictions. Likewise, Monument regulations had kept my husband's 92-year-old grandpa from being able to visit a number of areas that he holds dear because he needs

a motorized vehicle to access those lands—something the regulations prohibited. Following President Trump’s proclamation, our whole family was so excited to revisit these lands with him. Specifically, we had concrete plans to visit a part of Kaiparowits—an area referred to as “The Sody” where my husband’s grandpa had built a cabin and ranged his cattle for a number of years. Because there is no road to get to that specific place, we would have required motorized access to get my husband’s grandpa up there. That plan was possible after President Trump’s decision. We had to scrap that plan, though, once President Biden expanded the Monument to include this area because of the various off-roading restrictions that have come with the Monument’s designation. We would rekindle these plans to visit this area as a family if these restrictions would fall away.

13. Because of the Monument, my family is unable to ride motorized vehicles in areas where we recently were able to do so. In particular, as a result of President Biden’s proclamation, the Little Desert OHV area has been closed to off-roading and motorized vehicles. We were able to off-road and ride motorized vehicles in this area under President Trump’s proclamation. But no longer. This is an area that is meaningful to my family. My husband’s father learned how to ride a motorcycle here, as did my husband. My kids also had their first moments on motorcycles here (pictured below). We want to be able to freely ride motorized vehicles in this area again. And that is true for many others; there is a long history of locals using this area for recreation, holiday picnics, and family rides. But for President Biden’s proclamation, those traditions would continue.



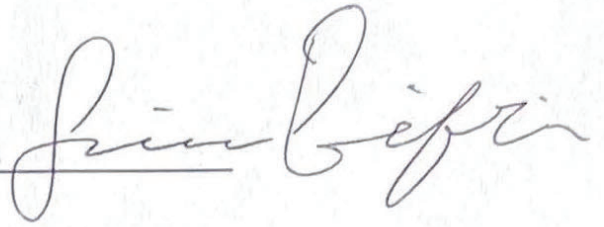
14. President Biden's decision to expand the Grand Staircase-Escalante Monument is a horrible change in course. It has already started to hurt our community, and I fear that we will never recover if the Monument is allowed to stand. Our town is changing in culture completely. And the Monument has brought about a vicious cycle that will eventually break us: We are losing more and more people because of the Monument, which is forcing more and more people to leave, further depleting our ability to sustain our basic identity. We are becoming a town with only 600 people in the winters, and during the summers you have to avoid driving on main street because of the tourists who fly through our town at dangerous speeds. Ranchers and families who have been around for generations have moved, and more will have to move in the near future. Our schools are dangerously shrinking. We don't have music classes or honors classes, and most extracurricular activities have been canceled because we don't have the tax base from property taxes to properly fund our schools. Housing is extremely difficult to find because we have a finite

amount of land that can be privately owned, and so much of the available housing is going to part-time residents. Some of the largest private employers—like South Central Communications—are now moving jobs to other cities because potential employees simply cannot find anywhere to live.

15. In so many words, the Monument has put a heavy toll on our family and has ravaged our community. I genuinely fear for the future of my children and the opportunities that will be available to them. The regulations and restrictions that have come with the monument designation have gutted our economy. As bad, the increased federal presence brought on by the Monument has also come with countless examples of harsh and over-aggressive tactics by federal law enforcement. Simply put, the Monument risks destroying what it means to live here in Escalante.

☐ Dated: 7/20/2022

Simone Griffin

A handwritten signature in cursive script, appearing to read "Simone Griffin", written over a horizontal line.